



Administrative Policies and Procedures: 13.31

Subject:	Discharge of Delinquent Youth from Probation/Aftercare
Authority:	TCA 37-1-137; 37-5-105, 37-5-106,
Standards:	DCS Practice Model Standard – 5-502
Application:	To All Department of Children's Services Family Service Workers Assigned Juvenile Justice Probation and Aftercare Cases

Policy Statement:

Upon approval by the committing Court, a delinquent youth, having met all requirements of the court and DCS, shall be discharged from the Department of Children's Services and thereby terminate probation or aftercare services.

Purpose:

To ensure compliance with *TCA 37-1-137 (g) (1) and (2)* and establish uniform procedures to provide for the discharge of a delinquent youth from the Department of Children's Services probation or aftercare services.

Procedures:

A. Discharge criteria	<ol style="list-style-type: none">1. In making the decision to recommend discharge of a youth from probation or aftercare, the following criteria will be used:<ol style="list-style-type: none">a) The youth has been on probation or aftercare for at least ninety (90) days and has met all probation or aftercare requirements established by the court and DCS and successfully achieved all IPP goals and objectives.b) The youth has been on probation or aftercare for at least ninety (90) days and except for completing restitution payments, the youth has met all probation or aftercare requirements established by the Court and DCS and successfully achieved all IPP goals and objectives. A discharge from probation or aftercare does not relieve the youth of the responsibility to complete restitution payments.c) The youth moves out of state and the court of jurisdiction does not wish to refer the youth for probation or aftercare services through the Interstate Compact on Juveniles.
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	<ul style="list-style-type: none"> d) The youth, regardless of age, has been transferred to adult court and has been convicted and sentenced as an adult e) A determinately committed youth, released from custody early and to complete his commitment on aftercare, has reached his release date f) The youth is turning 19 years of age. g) The juvenile court with jurisdiction over the youth's case orders discharge. <p>2. When the Family Service Worker (FSW) determines that a youth on probation or aftercare meets the criteria for discharge, the FSW will establish a discharge date. This date will be set so as to provide at least fifteen (15) days written notice to the committing court.</p> <p>3. The FSW will prepare a discharge summary of the youth's actions while on probation or aftercare and submit the summary along with form CS-0046, Discharge to the Court. The discharge summary will include, but is not limited to, the following:</p> <ul style="list-style-type: none"> a) Events taking place during probation or aftercare that support the recommendation for discharge b) Community resources utilized during probation or aftercare c) Support and cooperation of the youth's parents/ guardians d) The FSW's assessment of the reasons for the success or failure of the probation or aftercare plan e) A copy will be submitted to the Court and documented in TNKids case recordings <p>4. The FSW will prepare an original and two (2) copies of form CS-0046, Discharge.</p> <ul style="list-style-type: none"> a) Probation: The FSW will submit the discharge forms and Discharge Summary to the Court having jurisdiction for approval and signature. b) Aftercare: The FSW will submit the discharge forms and Discharge Summary to the youth's committing court(s) for signature(s) and approval. The Discharge form (CS-0046) and Discharge Summary must be forwarded to the Regional Administrator for signature and approval. <p>5. After being signed, approved and returned, the discharge documents will be distributed by the FSW as follows:</p> <ul style="list-style-type: none"> a) The original will be placed in the youth's case file; b) One copy will be mailed or delivered to the committing court; and c) One copy will be mailed or delivered to the youth.
B. Discharge concurrent with release from	<p>1. In the event that a youth is being discharged at the same time he/she is being released from custody, the FSW shall submit the original signed form CS-0046, Discharge, and a Discharge Summary with the release from custody documents. See policy <u>12.1 Return to Home Placement: Youth</u></p>

custody	<u><i>Adjudicated Delinquent.</i></u>
C. TNKids documentation	All information pertaining to probation/aftercare will be documented in TNKids.

Forms:	<u><i>CS-0046, Discharge</i></u>
Collateral documents:	<u><i>Individual Program Plan for Probation, Community Aftercare and Interstate Compact on Juveniles</i></u>